

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1, 5-7, 13-14, and 17-29 are pending in this application. By this Amendment claims 1, 13-14, and 17-20 are amended and claims 8-12 and 15 have been cancelled. Claims 21-29 are new. No new matter is added. Claims 1, 17, 18, 19, and 20 are the independent claims. Example support for the amendments and new claims herein may be found at Para. [0040-0041, 0052-0053, 0056] of Applicants' application.

Applicants note with appreciation the Examiner's acknowledgement that certified copies of all priority documents have been received by the U.S.P.T.O.

Applicants also respectfully note the present action indicates that the drawings have been accepted by the Examiner.

Claim Objections

Claims 11 and 13 are objected to because of informalities. These claims have been amended taking into account the Examiner's comments. Withdrawal of this objection is requested.

Rejections under 35 U.S.C. § 101

Claims 1, 5-7 and 14 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. These claims have been amended according to the Examiner's comments. Withdrawal of this rejection is requested.

Rejections under 35 U.S.C. § 102

Claims 1, 5-7, 13-14, 17, and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent Publication No. 2005/0019007 (hereinafter, “Kato”). Applicants respectfully traverse this rejection for the reasons detailed below.

Amended claim 1 recites *inter alia*, “a navigation area configured to store a playlist for managing playback of the data stream, the playlist including a playitem indicating a playing interval of the data stream, and the playitem including a packet identifier information field indicating the packet identifier (PID) of the transport stream packets associated with the playitem such that the packet identifier information field identifies a reproduction path among the multiple reproduction paths.” The Examiner relies on Para. [0205, 0240, 0242, 0622-0624] of Kato to disclose the above highlighted limitation.

As shown in Fig. 2 and disclosed at Para. [0188], Kato discloses “a database of a group (PlayList) of playback domains (PlayItem) of the AV stream.” More succinctly, as disclosed at Para. [0206], the “PlayList” includes “a set of plural PlayItems.” As disclosed at Para. [0240], Kato only discloses “the contents of an AV stream” to include “values of the PID of a transport packet transmitting an audio or video elementary stream,” where such information illustrates “to the user the contents of the PlayList referencing the AV stream.” Further, Para. [0622] of Kato discloses that the “entry_ES_PID” may mark “a pointer on the common time axis common to the totality of elementary streams used by the PlayList.” Moreover, as shown in Fig. 135 and disclosed at Para. [0622] of Kato, the “entry_ES_PID” is included in a “PlayListMark” and indicates an “elementary stream” specified by the “PlayListMark.” Thus, the “PID” of Kato is only disclosed as being included in a “PlayList” of Kato and indicating a stream associated with the “PlayList” of Kato. Therefore, the “PID” of Kato is not disclosed as being included in a “PlayItem” of Kato or indicating a stream associated with a particular “PlayItem” of Kato. As

such, Kato fails to disclose a “playlist including a playitem” with “the playitem including a packet identifier information field indicating the packet identifier (PID) of the transport stream packets associated with the playitem,” as recited in claim 1.

Further, as disclosed at Fig. 72 and Para. [0624], Kato only discloses the PID “denoting one video stream in the program.” Kato does not mention multiple reproduction paths or how the “PID” of Kato would relate to such paths. As such, Kato also fails to disclose “that the packet identifier information field identifies a reproduction path among the multiple reproduction paths,” as recited in claim 1.

For at least the foregoing reasons, claim 1 is patentable over Kato. Independent claims 17 and 18 recite similar limitations to claim 1 and therefore are patentable for at least the reasons stated above with respect to claim 1. Dependent claims 5-7 and 13-14 are at least patentable by virtue of their dependency on independent claim 1. Applicants, therefore, respectfully request that the rejection to the above claims under 35 U.S.C. § 102(e) be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 19 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent Publication No. 2004/0141436 (hereinafter, “Monahan”) and in view of Kato. Applicants respectfully traverse this rejection for the reasons detailed below.

Even assuming *arguendo* that Monahan and Kato are combinable (which Applicants do not admit), Monahan still fails to remedy the deficiencies of Kato with respect to claim 1. Independent claims 19 and 20 recite similar limitations to claim 1 and therefore are patentable for at least the reasons stated above with respect to claim 1. Applicants, therefore, respectfully request that the rejection to the above claims under 35 U.S.C. § 103(a) be withdrawn.

New Claims

Applicants respectfully submit that new claims 21-29 are at least patentable by virtue of their dependency on independent claims 1 and 17-20, noting that each claim should be interpreted separately, based solely upon its own limitations.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

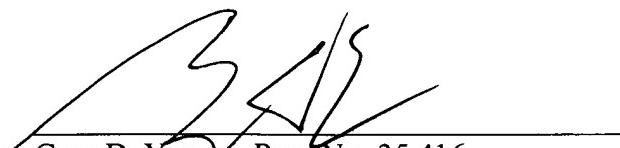
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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